UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/721,660	11/25/2003	Senthil Natesan	N0178US	7410

37583 7590 04/20/2007	EXAMINER	
NAVTEQ NORTH AMERICA, LLC	ALI, MOHAMMAD	
222 MERCHANDISE MART	ART UNIT	PAPER NUMBER
SUITE 900, PATENT DEPT.	2166	
CHICAGO, IL 60654		

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/20/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

PTOL-90A (Rev. 10/06)

	Application No.	Applicant(s)
Office Action Summary	10/721,660	NATESAN ET AL.
	Examiner	Art Unit	
	Mohammad Ali	2166	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>30 March 2007</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>47-65</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>47-65</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date <u>3/23/07</u>.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

1.   A request for continued examination under 37 CFR 1.114, including the fee set

forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this

application is eligible for continued examination under 37 CFR 1.114, and the fee set

forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action

has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 3/30/07

has been entered.

Response to Arguments

2.   Applicant's arguments filed on 3/30/07 have been fully considered but they are

not persuasive.

The declaration by Philip Robare under 37 CFR 1.132 filed March 3, 2007 is

insufficient to overcome the rejection of claims 47-65 based upon USP 6,278,939

(Robare et al.) as set forth in the last Office action because:

Affidavit or Declaration Under 37 CFR 1.132: Insufficient

All inventors have to sign in the declaration.

Inventor(s) should disclose what portion of the claimed invention his/her

contribution towards the invention, see MPEP 716.

There is no showing that others of ordinary skill in the art were working on the

problem and if so, for how long. See MPEP § 716.04.

It refer(s) only to the system described in the above referenced application and

not to the individual claims of the application. Thus, there is no showing that the

objective evidence of nonobviousness is commensurate in scope with the claims. See

MPEP § 716.

In view of the foregoing, when all of the evidence is considered, the totality of the

rebuttal evidence of nonobviousness fails to outweigh the evidence of obviousness.

Claim Rejections - 35 USC § 102

3.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act

of 1999 (AIPA) and the Intellectual Property and High Technology Technical

Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting

directly or indirectly from an international application filed before November 29, 2000.

Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior

to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

4.   Claims 47-65 are rejected under 35 U.S.C. 102(e) as being anticipated by US

Patent No. 6,278,939 (henceforth referred to by Robare et al.).

Claim 47 is anticipated by Robare et al. as follows: A method of operation for a navigation system comprising: using a repository for geographic data, wherein the repository contains a plurality of pre-computed parcels of geographic data, wherein. each of said parcels of geographic data corresponds to a separate one of a plurality of geographic sub-areas into which a geographic region is divided (figure 5; C2:L19-23); calculating a route from an origin to a destination (C3:L44); and providing to a local memory from said repository a plurality of parcels corresponding to said geographic sub-areas said route passes through (C3:L56- 61).

Claim 48 is anticipated by Robare et al. as in claim 47, wherein said parcels of geographic data are less than a maximum data size (C14:L54-61).

Claim 49 is anticipated by Robare et al. as in claim 47, further comprising: on a server, receiving a request for said route (C3:L49-53); and sending to a client computing platform said parcels corresponding to said geographic sub-areas said route passes through to a client computing platform (C3:L56-61).

Claim 50 is anticipated by Robare et al.. as in claim 47, further comprising: storing said provided parcels in a memory (figure 6; C3:L56-67; C10:L9-13).

Claim 51 is anticipated by Robare et al. as in claim 47, further comprising: using data from said provided parcels to display a map (C3:L63-67).

Claim 52 is anticipated by Robare et al. as in claim 47, further comprising: .using data from said provided parcels to explicate said route (C3:L67-C4:L2).

Claim 53 is anticipated by Robare et al. as in claim 47, further comprising: using data from said provided parcels to find information about a point of interest

based upon specified criteria (C3:L44-45).

Claim 54 is anticipated by Robare et al. as in claim 53, wherein the specified

criteria include location-based criteria (C3:L44-45).

Claim 55 is anticipated by Robare et al. as in claim 47 and claims 48-54,

wherein the repository includes a plurality of collections of geographic data,

wherein each collection represents the entire geographic region, wherein each

collection is organized into a plurality of parcels, each of said parcel is less than a

maximum size and wherein the parcels in one of said plurality of collections contains

data that represents different attributes of the represented geographic features than the

parcels in another of said plurality of collections (C4:L22-29; C14:/54-61).

Claim 56 is anticipated by Robare et al. as follows: A navigation system

comprising: a repository for geographic data, wherein the repository contains

pre-computed parcels of geographic data, wherein each of the pre-computed

parcels of geographic data corresponds to a separate one of a plurality of

geographic sub-areas into which a geographic region is divided (figure 5; C2:L19-

23); a route calculation application that calculates a route from an origin to a

destination (C3:L44); and a geographic data providing application that provides to

a local memory from said repository a plurality of parcels corresponding to said

geographic sub-areas said route passes through (C3:L56-61).

Claim 57 is anticipated by Robare et al. as in claim 56, wherein said pre-

computed parcels of geographic data have a substantially uniform data size

(C.14:L54-61).

Claim 58 is anticipated by Robare et all as in claim 56, wherein said repository for geographic data and said geographic data providing application are associated with a server (C3:L49-61).

Claim 59 is anticipated by Robare et al. as in claim 56,.further comprising: a route guidance application that uses data contained in said parcels from said local memory to provide maneuvering instructions for following said route (C12:L10-16).

Claim 60 is anticipated by Robare et al. as in claim 56, further comprising: a map display application that uses data contained in said parcels from said local memory to provide a map of said route on a display (C3:L67-C4:2).

Claim 61 is anticipated by Robare et al. as in claim 56, further comprising: a positioning application that uses data contained in said parcels from said local memory to determine a position of a end user computing platform relative to roads represented by data contained in said parcels (C10:L16-18)..

Claim 62 is anticipated by Robare et al. as in claim 56, further comprising: a positioning application that uses data contained in said parcels from said local memory to determine whether an end user computing platform has departed from said route (C4:L10-14).

Claim 63 is anticipated by Robare et al. as in claim 62, wherein if said end user. computing platform has departed from said route, said positioning application calculates a way back to said route using data contained in said parcels from local memory (C12:L35-39).

Claim 64 s anticipated by Robare et al. as follows: A method of operation for a

navigation system comprising: using a repository for geographic data, wherein

the repository contains a plurality of parcels of geographic data, wherein each of

said parcels contain routing data corresponding to a separate one of a plurality of

geographic sub-areas into which a geographic region is divided (figure 5; C2:L19-

23); calculating a route from an origin to a destination (C3:L:44); and providing to

a local memory from said repository a plurality of parcels of routing data

corresponding to geographic sub-areas located along said route (C3:L56-61).

Claim 65 is anticipated by Robare et al. as in claim 64, further including:

using data from said parcels in said local memory to, provide navigation-

related features (C2:L19-23).

Conclusion

5.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

Contact information

6.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mohammad Ali whose telephone number is (571) 272-4105. The examiner can normally be reached on Monday-Thursday (7:30 am-6:00 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain T. Alam can be reached on (571) 272-3978. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Mohammad Ali
Primary Examiner
Art Unit 2166

MA
April 16, 2007